

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ROSINA JONES,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CIVIL ACTION NO. H-13-2820
	§	
UNIVERSAL HEALTH SERVICES, INC., <i>et al.</i> ,	§	
	§	
Defendants.	§	

**MEMORANDUM ON DISMISSAL**

The plaintiff, Rosina Jones, sued Universal Health Services, Inc. and SHC-KPC, LP d/b/a Kingwood Pines Hospital, alleging defamation. Her claim arose from the circumstances surrounding her employment termination in February 2011. The defendants moved to dismiss based on a failure to state a claim on which relief could be granted, the expiration of the statute of limitations, or the application of the absolute privilege for statements made in quasi-judicial proceedings. (Docket Entry No. 4). In response, the plaintiff moved to dismiss, without prejudice.

A careful review of the pleadings, the motion, and the applicable law reveals that there is no basis for this suit to proceed. The statute of limitations bars the defamatory statements the plaintiff alleges in paragraphs 1 to 7 of her complaint. Additionally, statements made to the Texas Workforce Commission or the EEOC are privileged. The complaint fails to plead enough facts to state a plausible claim for relief, including by failing to allege facts showing publication to a third party. Because of the many deficiencies the defendants have identified, and the plaintiff's failure to respond, the motion to dismiss is granted with prejudice and without leave to amend. Granting such leave would be futile.

This is a final judgment.

SIGNED on November 25, 2013, at Houston, Texas.

  
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Lee H. Rosenthal  
United States District Judge